

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION


Rodney P. Paxton,	:	
Plaintiff	:	Civil Action 2:07-cv-600
v.	:	Judge Sargus
Michael J. Astrue,	:	Magistrate Judge Abel
Commissioner of Social Security,	:	
Defendant	:	

ORDER

This matter is before the Court on Magistrate Judge Abel's April 14, 2008 Report and Recommendation. No objections have been filed to the Report and Recommendation. The Court, having reviewed the record *de novo*, determines that this case must be remanded to the Commissioner for further proceedings consistent with the April 14, 2008 Report and Recommendation.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court hereby **REMANDS** this case to the Commissioner to properly evaluate the opinion of Dr. Lloyd Dennis in accordance with 20 C.F.R. § 404.1527(d)(2); to determine whether there is objective medical evidence of an underlying medical condition, whether that evidence confirms the severity of the alleged impairment arising from the condition, and whether the objectively established medical condition is of such a severity that it can reasonably be expected to produce the alleged disability; and

to consider the combined impact of plaintiff Paxton's cognitive impairment and diabetes.

 6-23-2008

Edmund A. Sargus, Jr.
United States District Judge